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VIA ELECTRONIC FILING

The Honorable Jeffrey S. White
United States District Court, Northern District of California
450 Golden Gate Avenue
San Francisco, CA 94102

Re: Visa U.S.A. Inc. v. Maritz Inc.
Case No. CV-07-5585 JSW

Dear Judge White:

Defendant and Counterclaimant Maritz Inc. ("Maritz") submits this letter in connection with the Court's January 18, 2008 Order (see attached Exhibit A) re-scheduling the hearing for the parties' respective motions for February 29, 2008 at 9:00 a.m. Unfortunately, Maritz's lead counsel, the undersigned, has a prescheduled, prepaid vacation on February 29, 2008 (see itinerary attached as Exhibit B). Lead counsel's unavailability was disclosed to Visa's lead counsel when the parties met and conferred on this issue over the phone on January 18, 2008. Once the parties received the Court's Order re-scheduling the hearing for February 29, they agreed, before burdening the Court with this issue, to wait and see whether Judge Roesch of the Alameda Superior Court would move the February 22, 2008 hearing which caused the parties to request relief from this Court in the joint letter brief dated January 18, 2008 (see Exhibit C, 4:16 p.m. and 4:19 p.m. emails on January 18). Yesterday Judge Roesch declined to move that hearing, which would have enabled the parties to ask this Court to re-institute the previously set hearing at 9:00 a.m. on February 22, 2008.

Under the circumstances, Maritz respectfully requests that the hearing on the parties' respective motions be re-scheduled for 1:30 p.m. on February 22, 2008, a time at which Visa's lead counsel also remains available (see Exhibit C, 6:36 p.m. and 6:43 p.m. emails on January 22). In the event this time is not convenient for the Court, Maritz is prepared to file a miscellaneous administrative request pursuant to Local Rules 7-11 and 6-3 respectfully requesting that the hearing date be continued one week to March 7, 2008 (but not March 14, as Maritz's representative is unavailable that day), and explaining its reasons for the requested continuance and the lack of prejudice to Visa.

Respectfully submitted,

/s/ Ronald S. Katz
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Maritz Inc.